

# Sole Source Aquifers

## Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Protect drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349)	40 CFR 149.2

### 1. Is the project located on a sole source aquifer (SSA) including streamflow source areas?

☐ Maintain, in your ERR, a copy of the latest SSA printout from the internet site <http://www.epa.gov/safewater/ssanp.html> (make sure the map you are viewing includes streamflow source areas). If your project is close to the boundary and you are not certain if it is on the SSA, contact Martha Lentz at (206) 553 1593 to make a final determination. You will need to provide the project street address and detailed maps, if available.

- ☐ No: STOP here. The Sole Source Aquifer authority does not apply. Record your determination.
- ☐ Yes: PROCEED to #2

### 2. Is the project located in Idaho?

- ☐ Yes: Follow the 2000 Sole Source Aquifer Memorandum of Understanding between HUD/Idaho Division of Community Development/Idaho Housing and Finance Association and EPA. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #3

### 3. Does the project consist of an individual action on a one-to-four unit residential building (including acquisition, disposition, new construction and rehabilitation) that meets all applicable local and state groundwater regulations?

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #4

### 4. Does the project consist of acquisition, disposition or rehabilitation of a multifamily (5 or more dwelling units) residential building, commercial building or public facility that does not increase size or capacity and meets all applicable local and state groundwater regulations?

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #5

### 5. Does the project consist of new construction or rehabilitation that increases size or capacity of a multifamily building, commercial building or public facility that meets all applicable local/state ground-water regulations AND is served by public water, sewer and storm drainage systems. (If the project uses well water or a septic system or infiltrates storm-water on site, you must proceed to Step #5.)

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #6

### 6. Is the project likely to affect Sole Source Aquifer Quality?

**Please determine if the project meets or complies with all of the performance measures below.**

**Storm water:** Will the project be served by a public storm drainage system? ☐ Yes ☐ No  
If no, please document that the project follows local storm water guidelines and best management practices.

**Sanitary Waste:** Will the project be connected to publicly owned treatment works? ☐ Yes ☐ No  
If no, please document that the appropriate permits have been obtained from the local health department.

**Potable water:** Will the project be connected to the community water supply? ☐ Yes ☐ No  
If no, the appropriate State or local health department or district must be notified, water must be tested for contaminants, and all applicable pollution prevention techniques must be used to protect the private well from contamination. Please document process.

**Potable water II:** Are any families relying on well water within a quarter mile radius of the project site? (For Washington projects, please visit <http://apps.ecy.wa.gov/welllog> or contact Melissa Snoeberger at the State Department of Ecology at 425-649-7020 or [msno461@ecy.wa.gov](mailto:msno461@ecy.wa.gov). For Oregon projects, please contact HUD for further guidance) ☐ Yes ☐ No  
If yes, document number and location of wells.

**Underground Storage Tanks (USTs):** Are there any USTs at the project site? (For Washington, please check [www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html](http://www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html) for list of USTs. For Oregon, visit <http://www.deq.state.or.us/wmc/tank/ustprog.htm>) ☐ Yes ☐ No  
If yes, all USTs must meet all applicable requirements and standards set in state and federal regulations. These include, but are not limited to, design, installation, construction, spill and overfill operating specifications, registration and leak detection requirements, and financial responsibility mechanisms.

**Once finished gathering the information above, contact Martha Lentz of EPA at (206) 553 1593 or [lentz.Martha@epa.gov](mailto:lentz.Martha@epa.gov) for an informal consultation on the project. In addition to the technical information above, please provide EPA with a project description, the name of the federal funding agency, the cost of the project and information about project deadlines. If EPA does not respond to the informal consultation request within 30 days, you can consider the project to be not likely to affect Sole Source Aquifer quality and proceed.**

- ☐ No: Stop here. The project is not likely to affect Sole Source Aquifer quality. Maintain copies of all of the documents you have used to make your determination and your correspondence with EPA.
- ☐ Yes: Conduct a formal consultation, and if necessary, mitigate issues.

To begin formal consultation, please provide Martha Lentz of the EPA with maps, plans and specifications, a narrative statement detailing the nature, scope and degree of ground-water protection measures incorporated into the design, and mitigating measures incorporated into the design to enhance ground-water protection. You may need to hire a technical consultant or request EPA to conduct an independent review of the proposed project for impacts to ground water quality. If EPA determines that the project continues to pose a significant contaminant hazard to public health, federal financial assistance must be denied.

Once it receives the necessary information, EPA has 30 days to respond to a formal consultation request, unless the agency requests additional review time in writing, or HUD, a HUD Responsible Entity or EPA receives comments suggesting that the project will have adverse impacts to a sole source aquifer.

**DISCLAIMER:** This document is intended as a tool to help grantees and HUD staff complete NEPA requirements. This document is subject to change. This is not a policy statement, and the Sole Source Aquifer Legislation and Regulations take precedence over any information found in this document.

Questions concerning environmental requirements relative to HUD programs can be addressed to Deborah Peavler-Stewart (206) 220 5414 or Sara Jensen (206) 220 5226